

EDUCATION DEPARTMENT[281]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 256.7(5), the State Board of Education hereby proposes to amend Chapter 97, “Supplementary Weighting,” Iowa Administrative Code.

The proposed amendment in Item 1 implements changes made by Iowa Code chapter 261E, the Senior Year Plus Program.

2010 Iowa Acts, Senate File 2291, section 7, amended Iowa Code section 257.11(8) to clarify that students with disabilities who are served by special education programs or services are not to be denied participation in other weighted programming. This was also an area of confusion regarding students served by at-risk programming. Accordingly, Item 2 addresses both of these programs by clarifying that, while special education programming and at-risk programming are not eligible for additional supplementary weighting, students who are served by such programming are not to be denied participation in other weighted programs for which the students are eligible.

An agencywide waiver provision is provided in 281—Chapter 4.

Interested individuals may make written comments on the proposed amendments on or before September 14, 2010, at 4:30 p.m. Comments on the proposed amendments should be directed to Su McCurdy, Administrative Consultant, Iowa Department of Education, Second Floor, Grimes State Office Building, East 14th Street and Grand Avenue, Des Moines, Iowa 50319-0146; telephone (515)281-4738; E-mail su.mccurdy@iowa.gov; or fax (515)281-7700.

These amendments are intended to implement 2010 Iowa Acts, Senate File 2291, section 7, and Iowa Code chapter 261E.

The following amendments are proposed.

ITEM 1. Amend subrule 97.2(5) as follows:

97.2(5) *Attend class in a community college.* All of the following conditions must be met for any student attending a community college-offered class to be eligible for supplementary weighting under paragraph 97.2(1)“d.”

a. The course must supplement, not supplant, high school courses.

(1) ~~The course must not replace the identical course that was offered by the school district in the preceding year or the second preceding year.~~ For purposes of these rules, to comply with the “supplement, not supplant” requirement, the content of a course provided to a high school student for postsecondary credit shall not consist of substantially the same concepts and skills as the content of a course provided by the school district.

(2) The course must not be ~~required~~ used by the school district in order to meet the minimum accreditation standards in Iowa Code section 256.11.

b. to f. No change.

g. The course must be taught in such a manner as to result in student work and student assessment that meets which meet college-level expectations.

h. No change.

ITEM 2. Amend subrule 97.2(6) as follows:

97.2(6) *Ineligibility.* The following students are ineligible for supplementary weighting:

a. No change.

b. Students eligible for the special education weighting plan provided in Iowa Code section 256B.9 when being served by special education programs or services that carry additional weighting.

c. to *i.* No change.

j. Students enrolled in an at-risk program or alternative school program when being served by such program.

k. No change.